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15 EXTREME NETWORKS, INC.

E-FILED - 8/2/07

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

13 YENNA WU, Derivatively on Behalf of
14 Nominal Defendant EXTREME
15 NETWORKS, INC.,

16 Plaintiff,

17 vs.

18 GORDON L. STITT, et al.,

19 Defendants,

20 and

21 EXTREME NETWORKS, INC.,

22 Nominal Defendant.
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Case No. C-07-02268-RMW

**STIPULATION AND []
ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE AND
ASSOCIATED DEADLINES**

LINDA ERIKSON, Derivatively on Behalf
of Nominal Defendant EXTREME
NETWORKS, INC.,

Plaintiff,

vs.

GORDON L. STITT, et al.,

Defendants,

and

EXTREME NETWORKS, INC.,

Nominal Defendant.

Case No. C-07-02388-RMW

FRANK A. GRUCEL, JR., Derivatively on
Behalf of Nominal Defendant EXTREME
NETWORKS, INC.,

Plaintiff,

vs.

GORDON L. STITT, et al.,

Defendants,

and

EXTREME NETWORKS, INC.,

Nominal Defendant.

Case No. C-07-02848-RMW

TO THE HONORABLE COURT:

Plaintiffs and Defendants hereby stipulate and agree, by and through their undersigned
counsel of record, as follows:

WHEREAS, there are three derivative actions pending in the Northern District of
California against nominal defendant Extreme Networks, Inc., as well as some or all of the
Individual Defendants named in this action, captioned as follows:

<u>Case Name</u>	<u>Case No.</u>	<u>Filing Date</u>
<i>Wu v. Stitt, et al.</i>	C-07-02268-RMW	April 25, 2007
<i>Erikson v. Stitt, et al.</i>	C-07-02388-RMW	May 2, 2007
<i>Grucel v. Stitt, et al.</i>	C-07-02848-RMW	May 31, 2007

WHEREAS, on June 18, 2007, each of the above-listed actions was related and assigned to the Honorable Ronald M. Whyte;

WHEREAS, all parties have stipulated to a briefing schedule whereby plaintiffs shall file a consolidated complaint forty-five (45) days after the entry of the Court's Order appointing lead plaintiff(s) and lead counsel in the consolidated action;

WHEREAS, a Case Management Conference for the above actions is currently scheduled for August 3, 2007;

WHEREAS, a hearing to consolidate the cases, appoint lead plaintiff(s) and appoint lead counsel is currently scheduled for August 17, 2007;

WHEREAS, for reasons of judicial economy the parties believe that the Case Management Conference currently scheduled for August 3, 2007 should be continued until after the Court has entered an Order appointing lead plaintiff(s) and lead counsel in the consolidated action and the appointed lead plaintiff(s) have filed a consolidated complaint;

WHEREAS, Local Rule 16-2(e) requires Court approval of any stipulation to vary the date of a Case Management Conference;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for all parties, as follows:

1. The Initial Case Management Conference currently set for August 3, 2007 shall be continued to October 26, 2007, or thereafter, depending on the Court's availability. All other deadlines set forth in the Court's Order Setting Initial Case Management Conference and ADR deadlines are continued accordingly.

IT IS SO STIPULATED.

1 Dated: July 31, 2007

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11 Dated: July 31, 2007

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1 Dated: July 31, 2007

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20 **Frank A. Grucel, Jr.**


21
22 I, Jonathan M. DeGooyer, am the ECF User whose ID and password are being used to file
23 this STIPULATION AND [PROPOSED] ORDER. I hereby attest that each of the two
24 signatories identified above has concurred in this filing.
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ORDER

**PURSUANT TO THE FOREGOING STIPULATION, AND GOOD CAUSE
APPEARING, THE COURT ORDERS AS FOLLOWS:**

The Initial Case Management Conference currently set for August 3, 2007 shall be continued to **October 26**, 2007. All other deadlines set forth in the Court's Order Setting Initial Case Management Conference and ADR deadlines are continued accordingly.

DATED: 8/2, 2007



Hon. Ronald M. Whyte
United States District Judge

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